

STATEMENT OF UNDERSTANDING INDEPENDENT ADOPTIONS PROGRAM

You will be consenting to the adoption of your child by signing the consent to adoption. Consenting means you intend to give your child permanently to the adoptive parents to raise as their own. When the adoption petition is granted, you will no longer have any rights as a parent to the child.

Before you sign the consent to adoption, read each of the attached statements in consultation with the agency or Department of Social Services representative.

Be sure to ask questions about any statement you do not understand. Consenting to the adoption of your child is an extremely important decision. You should know all the facts before making your decision.

Instructions To Complete The Statement Of Understanding:

BEFORE YOU SIGN THIS STATEMENT OF UNDERSTANDING AND THE CONSENT TO ADOPTION, READ BOTH VERY CAREFULLY. BE SURE TO ASK QUESTIONS ABOUT ANYTHING YOU DO NOT UNDERSTAND.

1. *Complete this Statement of Understanding only after you have carefully thought about giving up your child and you are sure that you want your child adopted by the petitioners and raised by them.*
2. *Read each of the statements in this document very carefully. If you do not understand a statement, ask the social worker to explain it to you until you do understand.*
3. *If you understand and agree with a statement, put your initials in the box next to the number of that statement.*
4. *If you do not agree, or if you do not understand a statement after the social worker's explanation, do not initial the box. Ask for more help and time in making your decision.*
5. *If you have initialed all the boxes, sign your name at the end.*
6. *You will receive a copy of this Statement of Understanding when it has been completed.*

STATEMENT OF UNDERSTANDING
Parent Who Did Not Give Physical Custody of the
Child to the Adoptive Parents

- ☐ 1. I have carefully considered the reasons for consenting to the adoption of _____
by _____
Name(s) of the Petitioner(s) Name of Child
- ☐ 2. I understand that I have the right to look for a lawyer to help me in the Independent Adoption process and that the petitioners may be required to pay the cost, up to \$500 unless the petitioners and I agree to a higher amount, of such legal counsel.
- ☐ 3. I understand that I may talk about my plan to give up my child with other professional people, my family and friends.
- ☐ 4. I understand that if I am not sure I want to give up my child, there are other places the agency can refer me to that could help me with family, health, money and other problems.
- ☐ 5. I understand that if I do not consent to the adoption I may sign a Refusal to Give Consent to Adoption form (AD 20) or write a letter to the adoption agency and the adoption agency will report to the court that I do not want my child to be adopted by these petitioners.
- ☐ 6. I understand that if I do not sign the consent to adoption I may request the right to physical custody of the child in court. I probably will need an attorney to help me do this.
- ☐ 7. I understand that the consent will automatically become an irrevocable consent to adoption either when the 90-day period has ended or when I sign a waiver of right to revoke consent, whichever occurs first. The first day of the 90-day period is the day the consent is signed.
- ☐ 8. If I change my mind after I sign the consent to adoption, I must sign and deliver to the California Department of Social Services or to the delegated county adoption agency, whichever is investigating the proposed adoption, a written statement revoking the consent and requesting that the child be returned to me. I may not revoke the consent if the 90-day period has ended or if I sign a waiver of right to revoke consent, whichever occurs first. The first day of the 90-day period is the day the consent is signed.
- ☐ 9. After the consent becomes irrevocable, I may regain custody of the child only if the prospective adoptive parents agree to withdraw their petition for adoption or if the court denies the adoption petition.
- ☐ 10. I understand that I shall remain legally responsible for my child until the adoption is granted by the court. If the child is not adopted, the agency will notify me and request that I make other plans for the child's care. I understand that I must keep the agency informed of my address.
- ☐ 11. I understand that I shall no longer be my child's legal parent once the adoption is granted in court. This means that:
- A. I shall no longer be responsible for the care of my child;
- B. The petitioners shall be the parents and will be legally responsible for caring for my child; and
- C. I shall no longer have any right to the custody, services or earnings of my child.
- ☐ 12. I have received enough information about the petitioners and about my child's adjustment in the petitioners' family, and I wish to proceed with signing the consent to the adoption.

- ☐ 13. I understand that if I ask the agency for information at any future time, the agency must give me all known information about the status of my child's adoption including the approximate date the adoption was completed and if the adoption was not completed or was vacated, for any reason, whether adoptive placement of my child is again being considered.
- ☐ 14. I understand that after my child's adoption has been granted in court, all inheritance rights from any blood relatives will end unless they have made arrangements in their will or in a trust which specifically includes my child. My child will legally inherit from his or her adoptive parents.
- ☐ 15. I understand that after my child has been legally adopted, I cannot reclaim my child.
- ☐ 16. I understand if I think I was forced to sign or deliberately not told the truth about giving up my child, I have five years after the date the adoption was completed to ask the court to set aside the adoption of my child.
- ☐ 17. I understand the adoption agency may release identifying information from the adoption case record only when:
- A. It has been requested by certain agencies as named in law because the information is needed to help my child;
 - B. My child, when he or she is an adult, and I have signed forms agreeing to the release of identifying information so contact can be arranged;
 - C. My child has reached 21 years of age, asks for my identity and I have agreed in writing to the release of my identity and most current address in the adoption agency's record;
 - D. My child has reached 21 years of age and has indicated in writing that I may have his or her adopted name and most current address as indicated in the adoption agency's records and I have asked for this information; or
 - E. My child is under 21 years of age and the adoption agency has found the release of my identity and most current address as indicated in the agency's file is justified according to law.
- ☐ 18. I will be able at any time, to add information about myself to the agency's adoption record.
- ☐ 19. I understand the court may, after considering the request, release identifying information from the court adoption file.
- ☐ 20. I have carefully thought about the reasons for keeping or giving up my child. I have decided that giving up my child to the petitioners for adoption is in the best interest of my child. I have read and understand this Statement of Understanding and the consent to adoption. I do not need any more help or time to make my decision. I have decided to consent to the adoption of my child by the petitioners, and I am signing this freely and willingly.

I, _____, mother/father of _____,
Name of Parent Name of Child

understand and agree to statements I have initialed above.

 Date

 Signature of Parent

Complete SECTION A if signed in California
SECTION A:

I, _____, an authorized official of
Name and Title
_____, having witnessed the signing of the Statement
Name of Agency
of Understanding by _____ on _____
Name of Consenting Parent Date

Signature of Authorized Official

Complete SECTION B if signed out of California
SECTION B:

State of _____) ss.
County _____)

On this _____ day of _____, 19_____, before me,
_____, a Notary Public in and for said
county and state, personally appeared _____
known to me to be the person whose name _____ is subscribed to within
instrument, and acknowledged to me that _____ executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

(Affix Notarial Seal)

Notary Public in and for the County
of _____, State of

My commission expires _____